

EXHIBIT 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

A.F.,	:	
	:	
Plaintiff,	:	Case No. 2:23-cv-01241
	:	
v.	:	Judge Edmund A. Sargus
	:	
ASSOCIATION OF AMERICAN	:	Magistrate Judge Elizabeth Preston
MEDICAL COLLEGES,	:	Deavers
	:	
Defendant.	:	

DECLARATION OF ERIN D. FRENCH, ESQ.

I, Erin D. French, Esq., declare as follows:

1. I am counsel to Defendant Association of American Medical Colleges (“AAMC”) in the above-captioned action and have personal knowledge of this matter and the information herein.
2. I submit this declaration in support of AAMC’s Supplemental Brief in Opposition to Plaintiff’s Motion for a Temporary Restraining Order and/or Preliminary Injunction.
3. Attached hereto as **Exhibits A-G** are true and accurate copies of documents produced in discovery, or otherwise provided, by Plaintiff to AAMC in connection with this matter.
4. Attached hereto as **Exhibit H** is a true and accurate copy of a May 25, 2022 article authored by A.F. A link to the article has not been included in light of Plaintiff’s pending Motion to Proceed Pseudonymously. (ECF No. 9.)
5. Attached hereto as **Exhibit I** is a true and accurate copy of A.F.’s answers to AAMC’s interrogatory requests.

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing information is true and correct.

DATED this 9th day of June, 2023.



Erin D. French, Esq.

EXHIBIT A

----- Forwarded message -----

From: **W. Benninger, Ph.D.** <drbill2000@aol.com>

Date: Tue, Jan 31, 2023 at 7:52 AM

Subject: Re: MCAT Question - Time Sensitive

To: [REDACTED]

[REDACTED] - please find attached the updated evaluation with the 1.5x request for additional time at the end. I added some additional narrative in order to support that request.

If you would like a letter/report in the format that is more accepted by MCAT please let me know. If you would like additional accommodation requests in that, let me know that as well. If you have a specific date in which you need to receive that, let me know that as well. In any event, a specific date in which you would *like* to receive it would be helpful (not "ASAP" but a specific date). I'm assuming that you want this additional report to be written **without** additional testing.

If additional testing is needed in the future, if done by our office, it can always be added to this report.

William B. Benninger, Ph.D., Psychologist
Specializing in the Diagnosis and Treatment of ADHD
Former Adjunct Assistant Professor, The Ohio State University
PsyPact Interjurisdictional Approved Provider
Co-Founder ADDvisor.com

[130 B Northwoods Blvd.](#)
[Columbus, Ohio 43235](#)

Phone - 614-888-2343 (ADHD)

Fax - 614-846-1849

Email - DrBill2000@aol.com

Jane Email - Jane.DrBill@gmail.com

Web - ADDvisor.com

The office is open Monday through Thursday

CONFIDENTIALITY STATEMENT: The information transmitted or attached to this Notice is intended only for the person/entity to which it is addressed and may contain Protected Health Information (PHI). This information may be protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and other Federal and Ohio laws.

-----Original Message-----

From: [REDACTED]

To: W. Benninger, Ph.D. <drbill2000@aol.com>
Sent: Mon, Jan 30, 2023 7:53 pm
Subject: Re: MCAT Question - Time Sensitive

Hi Dr. Benninger,

Thank you for getting back to me. Could you please add the additional accommodations to the end of the current letter (1.5x on every section of MCAT), since this is time sensitive? Also, we are happy to pay you for the additional letter with more detailed information in it. While I would like to submit for accommodations ASAP with the current letter, I would also like to have the more detailed letter ready in case they request more information. Let me know if this is feasible or what I need to do.

Thank you so much!

Best,

██████████

On Jan 29, 2023, at 7:31 AM, W. Benninger, Ph.D. <drbill2000@aol.com> wrote:

██████████ In looking through those requirements it appears as if most of them have been met but some have not been "spelled out" in a narrative format as they indicate are needed. There are a couple of question marks (e.g. it indicates an "intellectual assessment" needs to be done but it doesn't indicate if a screener-such as what we did-is sufficient). If the submission for accommodations needs to be done in the next few days then it would be worth submitting what you already have to see what they say (if you are going to do this, email me very soon and indicate the accommodations you are requesting and I will add them to the end of the report and return it to you). If you have a couple of weeks, then I can retool the report into a more "standard" format, listing scores more specifically, etc., and fill in some of the narrative details that they want without doing any additional testing. There is an extra cost to this process. If they reject that, they will probably indicate what additional testing needs to be done and we could likely make plans to do that (but it would need to be done face-to-face). Perhaps, you could get it done at Duke?.

Let me know how you want to proceed.

William B. Benninger, Ph.D., Psychologist
Specializing in the Diagnosis and Treatment of ADHD
Former Adjunct Assistant Professor, The Ohio State University
PsyPact Interjurisdictional Approved Provider
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-----Original Message-----

From: [REDACTED]
To: [W. Benninger Ph.D. <DrBill2000@aol.com>](#)
Sent: Thu, Jan 26, 2023 5:12 pm
Subject: MCAT Question - Time Sensitive

Dear Dr. Benninger,

Thank you so much for your time today. I appreciate your help.

I unfortunately need your help in an expedited manner. I reviewed the requirements for the MCAT, which I have included. I think the evaluation you sent me includes most of these. However, I was hoping you could look through the requirements outlined in the document attached and make sure that everything is covered. I know one of the things that has yet to be covered is what accommodations you would recommend.

Hopefully this is not too much to ask. I am so grateful for your help throughout this process. Please let me know what you think.

Best,

[REDACTED]

EXHIBIT B

EDUCATION**Duke University**, Durham, NC**Expected May 2023***Bachelor of Science in Psychology with a Chemistry Minor*

- ◆ Cumulative GPA: 3.99/4.00

- ◆ Awards: Phi Beta Kappa, Dean's List with Distinction (2019 – 2022), Graduation with Distinction Candidate

Columbus School for Girls, Columbus, OH**May 2019**

- ◆ Graduated *cum laude*; Cumulative GPA: 3.99/4.00

WORK EXPERIENCE**Biochemistry Peer Educator**, Duke Academic Resource Center**Fall 2022 – Present**

- ◆ Meet weekly with professor regarding class progress and to cater sessions to the class' overall needs.
- ◆ Hold multiple discussion sections weekly for 20+ students to review content and foster a learning community.

Community Conduct Intern, Duke University Office of Student Conduct & Community Standards **Fall 2021 – Present**

- ◆ Chosen as one of a few students to counsel and advise Duke students accused of academic, social, and sexual misconduct.
- ◆ Appointed by President of Duke to serve on the University Judicial Board to adjudicate conduct violations.
- ◆ Working to minimize hate and bias on campus by researching and analyzing successful policies at other universities.

Medical Director Intern, Ohio Department of Mental Health & Addiction Services**Summer 2022**

- ◆ Helped to oversee the 6 psychiatric hospitals in Ohio.
- ◆ Developed strategies to maximize efficiency, increase quality of care, and decrease wait times for hospital beds.
- ◆ Conducted in-patient psychiatric clinical assessments in the psychiatric hospitals.

Summer Fellow, The Columbus Foundation**Summer 2021**

- ◆ Selectively chosen by one of the top 10 community foundations in the USA to work with Netcare Access, a mental health crisis and substance abuse stabilization nonprofit.
- ◆ Researched grant opportunities, supported fundraising efforts, and spoke with patients about their experiences at Netcare.

LEADERSHIP AND INVOLVEMENT**Off-Campus Advisory Council**, Duke University**Spring 2023 – Present**

- ◆ Educating peers about off-campus living through seminars about the pros and cons of each housing decision.
- ◆ Strengthening community and neighborhood relationships between Duke and Durham communities.

Research Assistant, Duke Cancer Institute**Fall 2022 – Present**

- ◆ Conducting research to develop treatments to help manage patients' pain following pelvic radiation cancer treatment.
- ◆ Writing manuscript and discussing reports with healthcare leadership.

First Year Advisory Council, Duke University**Fall 2022 – Present**

- ◆ Led freshman through community-building activities, diversity and inclusion conversations and sexual assault workshops.

Volunteer, Duke Center for Girls & Women with ADHD**Spring 2022 – Present**

- ◆ Assisting with initial operations to educate the public about the unique needs of women and girls with ADHD.
- ◆ Wrote an article about the stigma surrounding women with ADHD.

Student Marshal, Duke University**Spring 2022 – Fall 2022**

- ◆ Selected by Duke's President as one of a few undergraduate students to assist in graduation and convocation operations.

Research Assistant, Duke Center for Autism and Brain Development**Fall 2020 – Present**

- ◆ Conducting research 10 hours weekly on ADHD and autism to deepen understanding of their early symptoms.
- ◆ Coding, analyzing, and synthesizing data for research publication in Summer 2023.

Volunteer, Durham Children's Initiative**Fall 2020 – Spring 2021**

- ◆ Helped high-school seniors make a post-secondary plan for college, technical school, or work force entry.
- ◆ Weighed admissions decisions to help student make the informed decision based on academics, finances and career goals.

Alpha Phi Fraternity Member, Duke University**Spring 2020 – Present***Executive Board, Vice President of New Member Education and Experience (2020 – 2021)*

- ◆ Led 45+ new members through on-boarding, sexual harassment workshops, and financial literacy training.

SKILLS AND ACTIVITIES**Language:** Spanish (intermediate level)**Activities:** Duke Tour Guide, Duke Hospice, Duke Best Buddies, Duke Association for Business Oriented Women

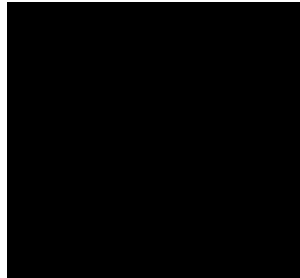
EXHIBIT C



View Application

[BACK TO DASHBOARD](#)

Profile

First Name**Middle Name****Last Name****Email ID**

History

Institution

Duke University

MCAT Taken Previously?

No

Past Standardized Tests

ACT, SAT

Received

Yes

**Accommodations for Past
Standardized Tests?**

Condition

Condition *	Year Diagnosed *	Age Diagnosed *	Grade *
ADHD	2022	21	Senior (College)
Psychiatric Impairment	2016	15	Sophomore (HS)

1. Describe your history of receiving accommodations (elementary school, high school, college, previous standardized tests such as the ACT or SAT). Please be sure to include verification of any accommodations received with your documentation. *

As early as first grade I have been given accommodations that have helped with my struggle to read and absorb material as quickly as my peers. I saw a reading specialist daily throughout much of my formative years. During most of my college career at Duke University, I have been granted time and a half in a controlled environment to take all my assessments.

2. Other than accommodations, describe what strategies, devices or medications you ordinarily use to manage your condition. *

In addition to extra time on assessments, I currently take Concerta to assist in my ability to focus, as well as Zoloft to help with the anxiety that is a constant struggle because of my struggle to accomplish tasks that require concentration. Both of these medications, along with the accommodations I have been granted at Duke have allowed me to have success in school much like my normal functioning peers.

3. Describe how the above-described strategies are insufficient to manage your condition for taking the MCAT exam. *

The above modalities, including time and a half on assessments have been the appropriate accommodations, which have allowed me to succeed academically. Without these accommodations on the MCAT, I will not be able to finish the high pressure timed MCAT and my score will not reflect my true abilities, even on Zoloft or Concerta. Despite being on Concerta and it helping me focus, i cannot finish high pressured assignments on time. With these accommodations, I will be on a level playing field with my normal functioning peers. What my testing psychologist has likened it to, I am running a race in the water, while my peers are on dry land. The accommodations allow me to be on dry land.

4. Describe when, how, and by whom your condition has been documented in the past. *

I saw a psychiatrist Dr. David Scandinaro throughout high school, who diagnosed me with anxiety. During my time at Duke, I went to Dr. Mina Boazak and was diagnosed with ADHD and re-diagnosed with anxiety. I have received accommodations from Duke University. Documentation of such accommodations are provided in my supplemental materials.

5. What accommodations on the MCAT exam do you believe you need? *

Regular Time + 50%

6. Provide a rationale for why you believe each of the accommodations selected above are necessary. You may also mention any additional accommodations not represented above. *

I have never been able to finish high time-pressured assessment without having time and a half, including practice MCATs.

Please note: If you opt to mail your supporting documentation, the review cycle will not begin until that documentation has been received by MCAT Accommodation Services.

Document Type

Document(s)

Personalized Statement *

 Personal Statement.pdf

Current Evaluation *

 Accommodation Letter for ... Letter.pdf

Transcripts

hs transcript.pdf

AF Transcript.pdf

hs transcript 2.pdf

hs transcript 3.pdf

Standardized Test Scores

None uploaded

Accommodations Received

Semester Request Directions and Profe...

Accommodation Letter.pdf

Supporting Academic Records

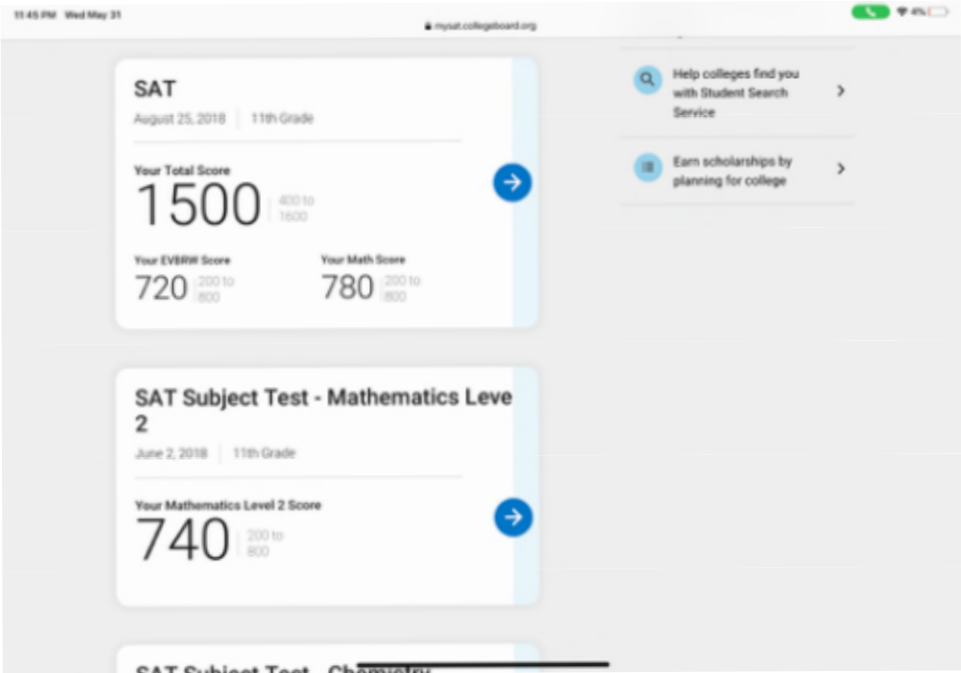
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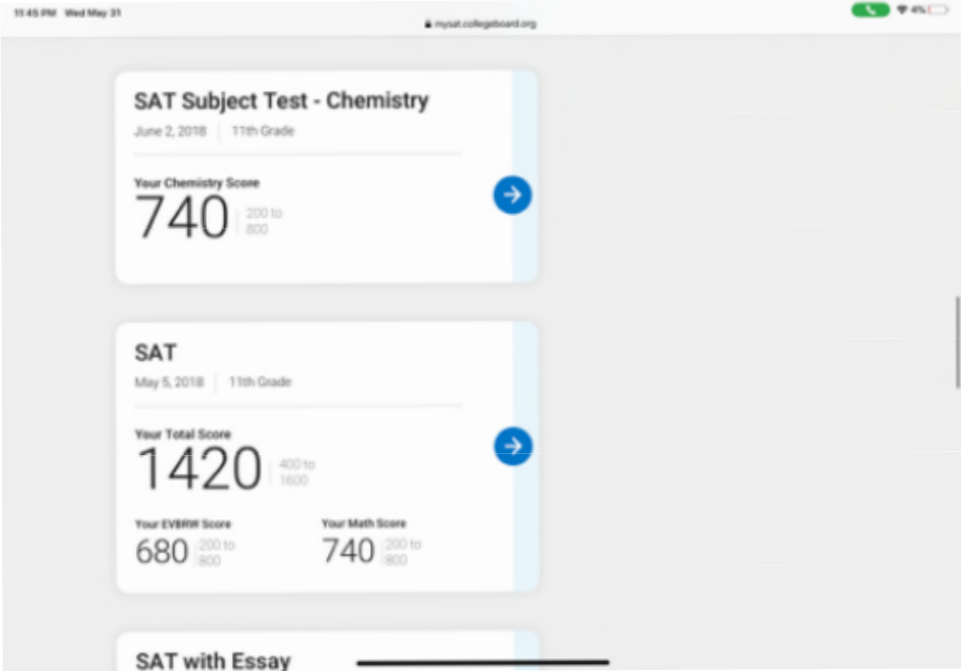
Previous Evaluation Reports

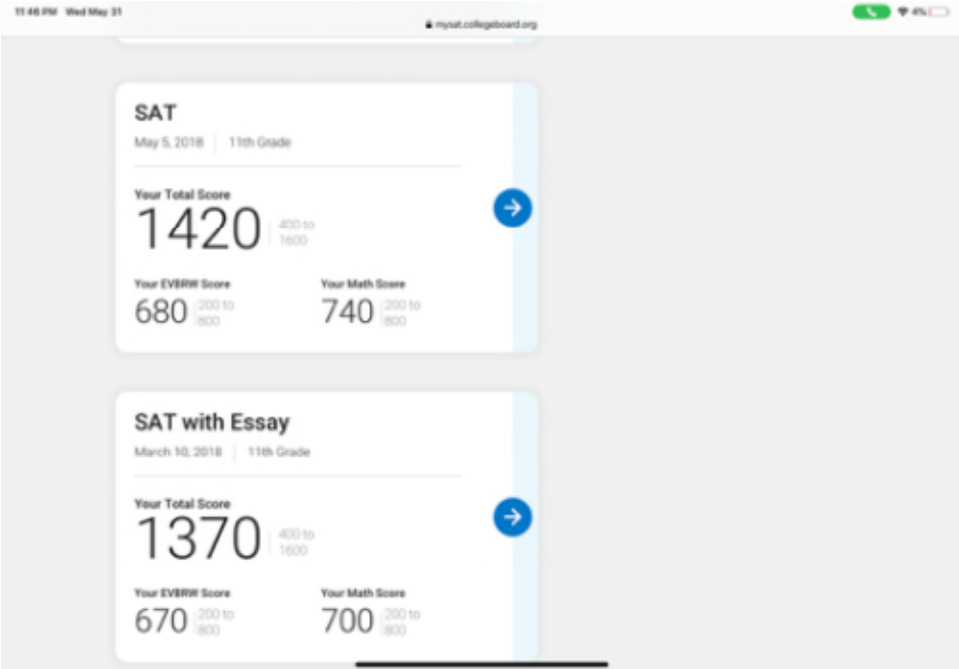
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[BACK TO DASHBOARD](#)[MCAT Accommodations Website](#) | [Contact MCAT Accommodations](#) | [Follow MCAT](#)

EXHIBIT D







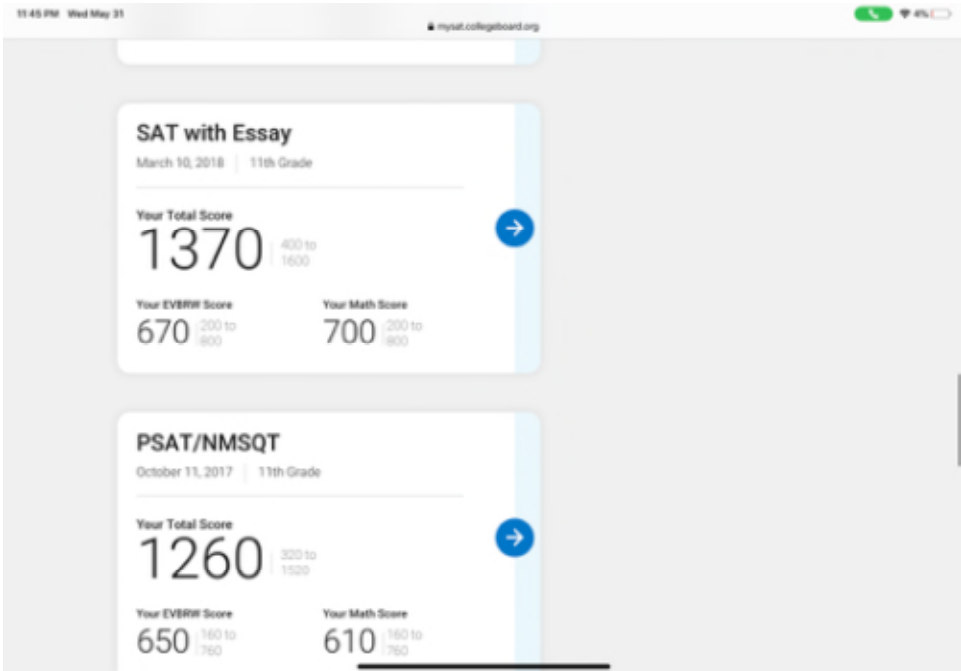


EXHIBIT E

Student Score Report

AP[®]

CollegeBoard

Report Date: 05/01/2023



AP ID/AP Number: [REDACTED]

School: 361530 - Columbus School for Girls

Year taken	Name of exam	Score
2019	Biology	5
2019	English Language and Composition	3
2019	Macroeconomics	5
2018	Calculus BC	5
	- Subscore: Calculus AB Subscore	5
2018	English Literature and Composition	3
2018	Physics C: Mechanics	5
2018	Spanish Language and Culture	3
2017	Chemistry	4
2017	United States History	3

Awards

2019	AP Scholar with Distinction
2018	AP Scholar with Distinction

EXHIBIT F

From: Jane Harding <jane.drbill@gmail.com>
Date: January 23, 2023 at 10:02:25 AM EST
Subject: Re: Dr. Benninger

[REDACTED]

Thank you!

Jane

Jane L Harding
William B. Benninger, Ph.D.
130 Northwoods Blvd, 2nd fl
Columbus, Ohio 43235
614-888-ADHD (2343)
614-846-1849 fax

The office is open Monday through Thursday. Emails received on Friday will be returned the following week.

On Mon, Jan 23, 2023 at 9:29 AM [REDACTED] wrote:
Hi Ms. Harding,

Here are observer and self report forms. Thank you!

Best,
[REDACTED]

On Sep 9, 2022, at 1:04 PM, Jane Harding <jane.drbill@gmail.com> wrote:

[REDACTED]

Dr. Benninger will e-mail the Zoom link at the appointment time, not earlier. You will need to use a device with a screen larger than a phone. Please be in a quiet, distraction free setting.

You are scheduled for Zoom appointments on 1/19/23 from 3:00 to 5:15 (intake/testing) and 1/26/23 from 3:30 to 5:00 (results).

I've attached 5 self report forms (for you to complete) and 4 observer forms (for one person to complete who knows you well) to be returned prior to the 1/19 appointment. The completed forms can be e-mailed to me.

I've also attached our office policy and HIPAA form. Please return the signature pages (2) with your self report forms.

Please have your cell phone handy in the event there is a problem with the Zoom link. Let me know if you have any questions.

Jane

Jane L Harding
William B. Benninger, Ph.D.
130 Northwoods Blvd, 2nd fl
Columbus, Ohio 43235
614-888-ADHD (2343)
614-846-1849 fax

The office is open Monday through Thursday. Emails received on Friday will be returned the following week.

<Adult Self Report BAARS.pdf><Adult Self Report ADDES.PDF><Adult Self Report CAARS.PDF><Adult Self Report SCL-90-R.PDF><Adult Self Report BRIEF.PDF><Adult Observer BAARS.pdf><Adult Observer BRIEF.PDF><Adult Observer CAARS.PDF><Adult Observer ADDES.PDF><Office Policy and HIPAA.pdf>

EXHIBIT G

Association of American Medical Colleges
665 K St. NW Suite 100,
Washington, DC 20001

April 14, 2023

To Whom it May Concern:

Graduating from Duke University, like her father, was always the goal of our daughter, [REDACTED]. This May she will have achieved that. However, it is not likely that the success we see on her transcript tells her whole story. Grit, tenacity, and perseverance have been her lifejacket since the beginning of her freshmen year, and there is not a grade high enough to evaluate her work ethic adequately.

Prior to college, our daughter attended an all-girls, Preschool-12 institution that stressed a holistic education where learners could dive deep into the subjects that most interested them and complete assessments without time constraints. However, [REDACTED]'s elementary teachers noted [REDACTED] struggled with reading comprehension as early as first grade, and quickly brought in a specialist to address her needs. It was likely then that [REDACTED] realized she needed to kick in her game if she wanted, and she did, to keep up the pace with her peers.

Constantly feeling like you are a step behind can certainly make a person anxious, especially a child like [REDACTED] who cares so much about completing tasks to the very best of her ability. So, when middle school came around, she started spending more and more time working on assignments. Her productivity was often crippled by her inability to remember the books that either did not make it home or the worksheet that didn't make it to school. Having lived with or taught a child with ADHD all my life, I know how important structure is for any child, but especially those with anxiety and ADHD. In spite of all my efforts to help [REDACTED] organize her environment, make check lists, and create personal incentives, it was a constant struggle for [REDACTED] to get to school on time, remember her soccer cleats, and keep her room clean. I recall repeatedly asking her to at least clear a path on her bedroom floor so if there was a fire, she could run out without killing herself first.

With the importance of grades, [REDACTED]'s anxiety really began to percolate during her high school years. I once heard a doctor describe a child with ADHD as an athlete trying to win a race swimming underwater while her peers are sprinting on dry land. Our gritty [REDACTED] answered every daunting task by working harder and longer. The norm on each weekend day was to see [REDACTED] at the kitchen table hard at work from the time I made coffee in the morning until I asked her to move so that I could set the table for dinner. Fidgeting and picking at her nails, nervously lost in thought, I can't begin to say how many times a day I'd pass by her to remind her to focus and to tell her she was ruining her nailbeds. Tears puddled the table when her frustration got the best of her. She just could not imagine how her friends were able to be out and about having fun while she felt glued to her chair struggling through digesting a chapter of AP US History.

My favorite silver lining of COVID was having my adult children home with me. Occupying the same spot in the kitchen as in high school, we could find [REDACTED] working from sun-up until dinner and then again after the dishes were cleared – picking her nails and fidgeting while forever trying to stay on task and get to the finish-line.

[REDACTED] has made it to the finish-line. Fortunate enough to be able to get extended time on assessments at Duke, her performance on tests reflects not only her true intellect but her perseverance in diligently preparing for every academic challenge.

As parents, we are struggling as whether we should have had [REDACTED] tested sooner and therefore AAMC would not take the untenable position that her previous academic success and success on the ACT without a diagnosis of ADHD and without any accommodation is evidence extra time is not warranted for the MCAT. As stated above, she has always struggled with reading and as parents we ignored her complaints because, like AAMC, we thought she was doing well academically. However, now we know that if we had been more proactive as parents and had her diagnosed, she would have received the accommodation in high school and for her ACT and thus her grades and scores would have been even better.

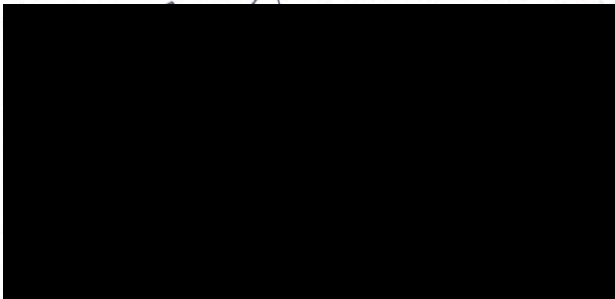


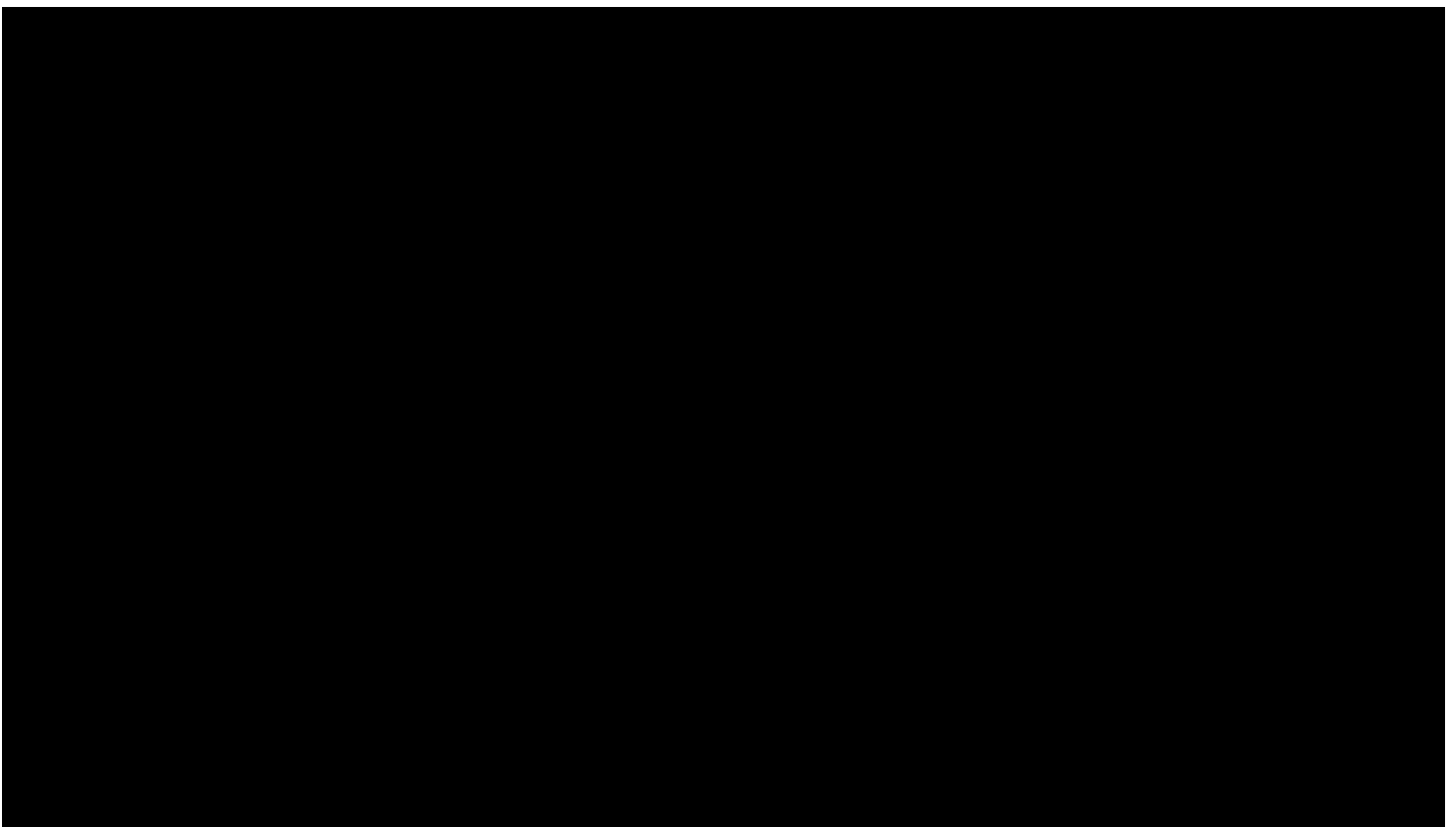
EXHIBIT H



News » Getting a good seat at life's table

Getting a good seat at life's table

by Christopher Robinson / May 25, 2022



What my sister with ADHD has taught me – and what she can teach all of us

By **A.F.**

"The greatest gift you can give a child is a sibling, and the best gift you can give to me is to love each other." That's something my mother has said often to me and my siblings. When I was a child, these words felt like just another one of her adages – but reflecting on them as a young adult, I couldn't agree more with my mother's sentiments.

As cliché as it may sound, my siblings are truly my built-in best friends, and they often know me better than I know myself. My brother and older sister, [REDACTED], also have taught me important life lessons and skills that will benefit me forever.

[REDACTED] was diagnosed with ADHD when she was in preschool. She has taught me – among so many other things – patience and determination.

Preschool [REDACTED] struggled greatly with reading, fell behind her peers in school and lacked the ability to forge strong social connections. In middle school, [REDACTED] was overwhelmed by her inability to focus and organize herself, and spent many of her days as an adolescent in tears. High-school [REDACTED] was labeled as spacey and forgetful.

My mother said that in our early years, [REDACTED] often became so focused on tasks that she struggled to transition from one to the next. [REDACTED] would “hyper-focus” on things – her baby doll Butter, a single piano note and protecting me and my younger brother, for example – to the exclusion of other tasks.

This hyper-focus and inattentiveness to the world around her seemed to always put [REDACTED] a step behind her peers as a young child. Birthday parties were a prime example: challenged by transitions and usually absorbed in something else, [REDACTED] often was the last person to the table – and therefore wouldn’t get a good spot near her friends.

My parents feared that [REDACTED] would spend her life never getting a good seat at any table. They worried about how to best support [REDACTED], help her to manage her symptoms and ensure that she did find her place in the world.

Because behind the tears, difficulties, turbulence and misconceptions, [REDACTED] was and is brilliantly talented, witty, fierce and a loyal student, friend, daughter and sister.

[REDACTED] ADHD trajectory wasn’t a straight line. There would be times – such as during stressful life events – when her symptoms would peak and other times when they were less apparent. These inconsistencies in her behavior could be confusing and frustrating to others.

As a child, [REDACTED] underwent various ADHD treatments and interventions – occupational and speech therapy, for example – which affected the way her symptoms appeared to others. Our parents completed behavioral parent training. [REDACTED] also took ADHD medication, which significantly helped manage her symptoms.

sister support network at school played a critical role in helping her manage her symptoms. We were lucky enough to attend a school with a highly engaged and supportive teaching staff who understood ADHD in girls. These teachers recognized sister ADHD symptoms early in her life, and supported her in the classroom when the symptoms became unmanageable.

With these supports in place – and her parents, siblings and teachers cheering her on – sister ultimately excelled in school, at home and socially, and she's gotten good spots at many tables. In fact, sister graduated second in her high school class, served as the editor of her college newspaper, was chosen as a finalist for a prestigious international scholarship, and is on track to earn her medical degree in 2025.

With grit and determination, sister has faced and embraced any challenge that ADHD and the world presented to her. And while the condition has presented many obstacles for sister it also has given her a unique perspective on the world – an insight that gives her strengths that people without ADHD may not always have.

For example, sister hyper-focused nature drives her to fervently pursue her passions and has given her an ambitious direction for her future. And her ability to connect to the world differently gives her greater emotional intelligence and sensitivity to the feelings of others.

As sister has grown and learned to manage her inattentive, hyper-focused nature, she has truly turned ADHD into one of her greatest assets. This has taught me, her sister, so much. Here's what my experience might teach others:

- People may have ADHD, but it doesn't define who they are.
- Although ADHD can look different in girls and women than it does in boys and men, females can have the condition and thrive. Addie is a perfect example.
- Girls with ADHD can benefit from intervention, just like boys can.
- Although they may need treatment and/or additional support, girls with ADHD can be better daughters, siblings, friends and students when they're able to see how their symptoms can be strengths as well as obstacles.

My mother was right: my siblings are my greatest gifts. sister has also been my greatest teacher. I wouldn't be who I am today without my sister by my side. And I wouldn't be who I am if my sister didn't have ADHD.

A.F. is student volunteer at the Duke Center for Girls & Women with ADHD.

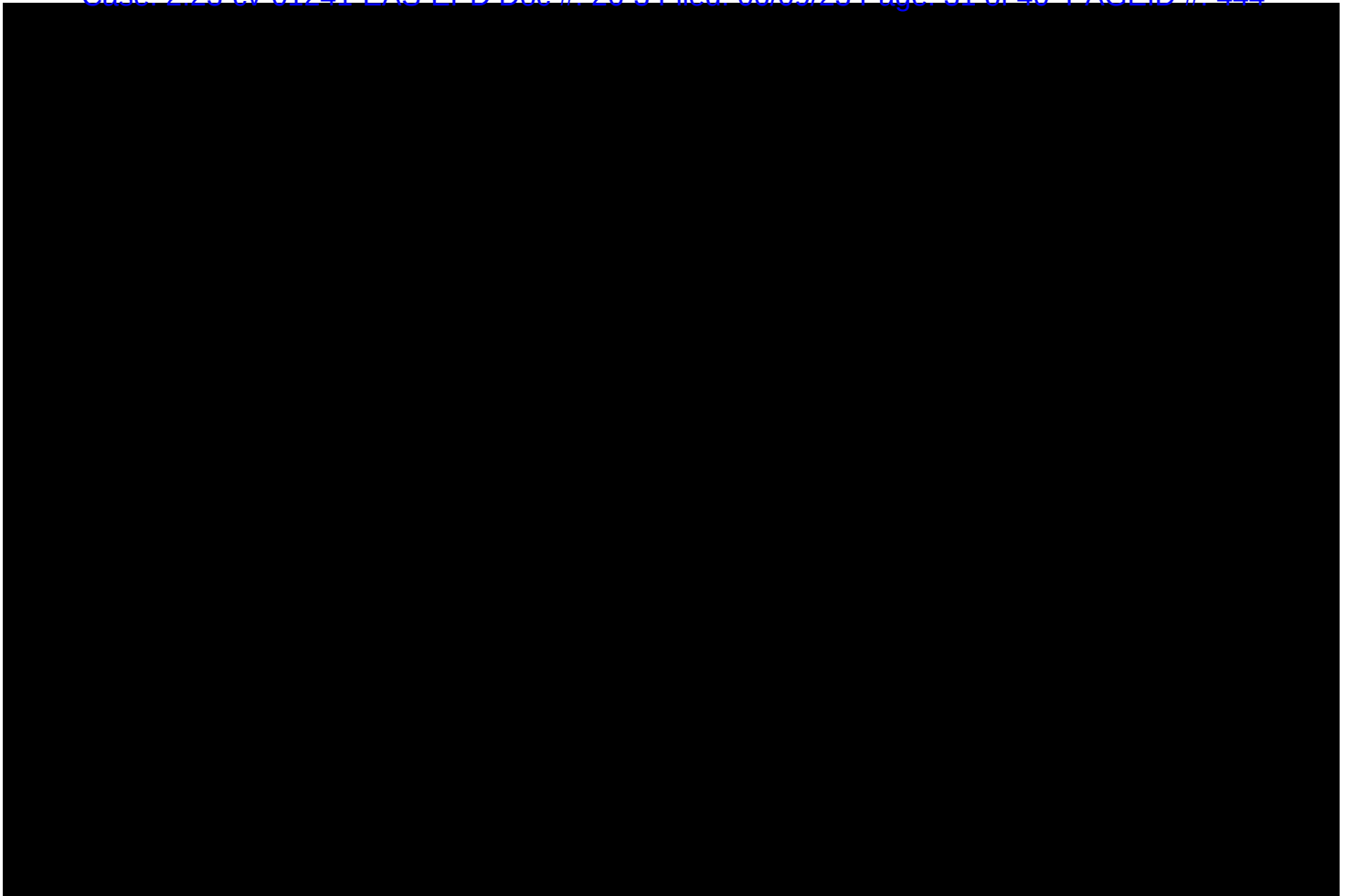


Photo of **A.F. and sister** Columbus, OH, 2018. Source: **mother**

Recent Posts

[Research Spotlight](#)

[Spring 2023 Newsletter](#)

[ADHD in Girls: Interview and Podcast Recording with Dr. Cara Goodwin from Parenting Translator](#)

[7 listening and learning sessions coming in 2023!](#)

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The Duke Center for Girls & Women with ADHD

2608 Erwin Road

Suite 300

Durham, NC 27705

ADHDGirls@dm.duke.edu

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EXHIBIT I

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

A.F.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 2:23-cv-01241
)	Judge: Hon. Edmund A. Sargus, Jr.
)	Mag. Judge: Hon. Elizabeth Preston
ASSOCIATION OF AMERICAN)	Deavers
MEDICAL COLLEGES,)	
)	
Defendant.)	
)	

**PLAINTIFF AF'S ANSWERS TO DEFENDANT ASSOCIATION OF AMERICAN
MEDICAL COLLEGES'
FIRST SET OF INTERROGATORIES**

Plaintiff, by and through counsel, David A. Goldstein Co., L.P.A., hereby provides her answers to Defendant AAMC's First Set of Interrogatories.

PRELIMINARY STATEMENT AND GENERAL OBJECTIONS

Plaintiff states the following objections, which apply to all interrogatories and definitions. The following objections are incorporated by reference in response to various interrogatories and should be treated as fully set forth therein by reference. Additional specific objections are stated where applicable to individual interrogatories and responses. Answers which are provided are subject to and without waiver of any objections stated herein.

A. Plaintiff objects to all interrogatories to the extent that they seek information protected from disclosure by the attorney-client privilege or work product doctrine.

B. Plaintiff objects to all interrogatories to the extent that they are vague and ambiguous, over broad, unduly burdensome to the point of being vexatious and seek information

not relevant to the subject matter of this lawsuit and not reasonably calculated to lead to the discovery of admissible evidence.

C. Plaintiff objects to answering interrogatories where the answer to any interrogatory or responses to requests may be derived and ascertained readily by Defendant and/or where the burden of deriving or ascertaining said response would be substantially the same for Defendant as for Plaintiff.

D. Plaintiff objects to any and all interrogatories which seek conclusions of law unrelated to properly discoverable facts.

E. Plaintiff objects to Defendant's preliminary instructional paragraphs and definitions. Defendant's definitions are overly broad and unduly burdensome to the point of being vexatious. Without limitation, Plaintiff objects to all interrogatories requesting documents within the possession of "Plaintiff or Plaintiff's attorneys," because such requests impermissibly call for the disclosure of attorney-client privileged material.

F. Discovery is continuing in this matter and Plaintiff reserves the right to amend Answers at a later date if, and when, information becomes available during the course of discovery.

Subject to the foregoing limitations and objections, Plaintiff submits the following answers and responses to the Interrogatories.

INTERROGATORIES

1. Identify all impairments that you claim to suffer from which you believe entitle you to the accommodation of extra testing time on the MCAT and, for each such impairment, (a) state when you were first professionally diagnosed as having that impairment by a health care professional, and (b) identify that professional.

ADHD Combined Presentation moderate severity -Other Specified Neurodevelopmental Disorder Working Memory and Other Executive Function Impairments, Depressive

Disorder, and Anxiety Disorder.

I was diagnosed with ADHD Combined Presentation moderate severity -Other Specified Neurodevelopmental Disorder Working Memory and Other Executive Function Impairments in or around January of 2023 by Dr. Benninger.

I was diagnosed with Depressive Disorder and Anxiety Disorder by Dr. Costlow in April of 2017.

Plaintiff reserves the right to supplement and defer to her medical experts.

2. For each impairment identified in response to Interrogatory No. 1, (a) state the date of onset, (b) state all functional limitations that you experience because of that impairment, (c) describe the severity of those limitations, and (d) identify the major life activities that you claim are affected by those limitations.

As far as the onset of symptoms, I did not know the exact time frame, but it was when I was younger. As far as subparts (b), (c), and (d) see my personal statement and supplement to my personal statement provided to Defendant.

Plaintiff reserves the right to supplement.

3. Identify all health care and other professionals (*e.g.*, medical doctors, psychologists, neuropsychologists, social workers, counselors, nurse practitioners, etc.) whom you have consulted regarding any impairment identified in response to Interrogatory 1 and, for each such professional, state when you first consulted that professional and the date range(s) within which you were evaluated and, if relevant, treated by that professional.

Kathleen Costlow diagnosed me with anxiety and depression in April of 2017. I also saw David Scandenero, a psychiatrist, around this same time. I also saw Dr. Boazak's office (Pamela Campbell), in 2022 who has been treating me for my disabilities I saw Dr. Benninger in 2023.

4. Identify and describe all mitigating measures that you use to address the functional limitations that you identified in response to Interrogatory No. 2 and state the extent to which the mitigating measures address the applicable functional limitation(s). In the case of any medications,

indicate the name and dosage.

I've been on anti-depression anti-anxiety medicine since 2017. I received accommodations from Duke for time and a half since 2021. I have also been taking ADHD medicine since 2022.

5. Identify all jobs or internships (paid or unpaid) you have had during the past six years, state the period of time during which you had each such job and internship, and provide a general description of your work duties for each employer and internship provider.

Medical Director Intern, Ohio Department of Mental Health and Addiction Services

-Developed strategies to maximize efficiency, increase quality of care, and decrease wait times

Summer Fellow, Columbus Foundation

-Researched grant opportunities, supported fundraising efforts, and spoke with patients about their experiences at Netcare

6. Identify all accommodations, if any, that you requested from any employer or internship provider identified in response to Interrogatory No. 6.

I did not request any accommodations.

7. Identify all accommodations that were requested by or for you from any educational institution that you have attended and, for each such institution, identify the educational institution and state when accommodations were requested, whether any accommodations were granted and whether any were denied, what those accommodations were (granted and denied), and whether you always used the accommodations that had been approved.

Duke University in 2021, whereby I was granted 1.5 extra time. At no time have I been denied an accommodation other than the request for extra time by Defendant.

8. Identify all standardized tests that you have taken from elementary school to date and, for each such test, state when you tested (providing all test dates if you took a test multiple times), whether you requested any testing accommodations, whether the request was granted or denied (in whole or in part), and the testing accommodations that were granted, if any.

SAT and ACT, however, I don't know the exact dates or times taken. I did not request any accommodations.

9. Identify all extracurricular activities you participated in during high school and college, including any social, athletic, musical, or volunteer activities.

This is certainly not a comprehensive list, but I sang in high school, and played three varsity sports, lacrosse, basketball, and soccer.

In college, I am a member of Business Oriented Women, Alpha Phi Fraternity, Student Conduct Board, Off Campus Advisory Council, Biochemistry Peer Educator, Duke Center for Girls and Women with ADHD, Research Assistant, Durham Children's Initiative.

Please see my CV attached to my answers to Defendant's Request for Production of Documents.

10. Identify any first-degree biological relatives who have been professionally diagnosed with ADHD and state the age at which they were diagnosed and the professional(s) who made the diagnosis.

Sister at age 4 and Brother at age 17.

11. Is it your contention that you are substantially limited in your ability to read, as compared to most people in the general population?

Yes.

12. Is it your contention that you are substantially limited in your ability to learn, as compared to most people in the general population?

Yes.

13. Is it your contention that you are substantially limited in your ability to concentrate, as compared to most people in the general population?

Yes.

14. Is it your contention that you are substantially limited in your ability to take a

multiple-choice standardized test, as compared to most people in the general population?

Yes.

15. Identify all medical schools to which you have applied or intend to apply.

I have not applied to any medical schools to date. I do not know where I intend to apply.

16. State whether you have begun completing your AMCAS medical school application yet and, if not, describe all steps you have taken in order to be able to provide the information that is called for on the AMCAS application.

I have not yet prepared my AMCAS application, but have worked with my pre-med advisor about the application and the process.

17. Identify all persons who prepared or assisted in the preparation of responses to these interrogatories, as well as the interrogatories on which they assisted.

My attorney David A. Goldstein.

18. Identify all experts and fact witnesses you intend to call at the hearing on your motion for a temporary restraining order or preliminary injunction.

1. Dr. Willian Benninger, Expert Witness
2. Dr. Kathleen Costlow, Expert Witness
3. Plaintiff

Parents

6. An educational expert with knowledge about medical school application process.
7. Any and all witnesses disclosed by Defendant as if on cross-examination.

Plaintiff reserves the right to supplement this response.

Respectfully submitted,

/s/ David A. Goldstein

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Trial Attorney for Plaintiff AF

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been sent via Electronic Mail
this 28th day of April 2023 to:

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